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TO: **Internal File**

THRU: Susan M. White, Team Lead *SMW*

FROM: Wayne H. Western, Senior Reclamation Specialist *WHW*

RE: Permit Area Reduction, PacifiCorp, Des-Bee-Dove Mine, 000017-AM00D

SUMMARY:

On November 1, 2000, the Division received a minor amendment to revise the Des-Bee-Dove Mine permit. Reclamation at the mine has begun and the permittee wants to withdraw the underground workings from the permit area. Part of the permittee's reason for wanting to reduce the permit area is to reduce the total number of federal coal lease acres. The Division reviewed the permittee proposal and the analysis is given below.

SUBSIDENCE CONTROL PLAN

Regulatory Reference: 30 CFR 784.20, 817.121, 817.122; R645-301-521, -301-525, -301-724.

Analysis:

Performance standards for subsidence control

The permittee divided the subsidence areas for all their permitted areas into subsections that can cover part of one mine or parts of several mines. The subsections are listed by area number in the annual subsidence report. The Division reviewed the subsidence information in the annual report for each area in the Des-Bee-Dove mine permit area. The results are as follows:

Area 8

Parts of Area 8 may have subsided without detection due to lack of subsidence monitoring before 1989. The subsidence profile show a fair amount of variability that is due to the rugged terrain. The profiles show that no major subsidence has occurred in the past five years.

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Area 9 and 10

Those areas cover the north section of the Little Dove Mine and the abandoned American Fuel Mine. Subsidence has been monitored for subsidence since 1987 although mine in the area had occurred previously. Subsidence has been stable since 1994.

Area 13

Figures 39 and 41 in the 1999 Annual Subsidence Report shows the area monitored for subsidence in the Southern Areas Mine Workings and the subsidence profiles. Because of problems with aerial triangulations and no subsidence monitoring points install before 1986, the amount of subsidence is difficult to determine. However, the subsidence data shows that subsidence has been stable since 1994.

The above analysis show that sufficient information has been collected to make a demonstration that subsidence is stable and has not caused material damage. However, a summary and analysis of this information was not submitted with this application. This information must be included in the Mining and Reclamation Plan (MRP), available to the public, and the MRP changed to show the requirement for subsidence monitoring is no longer required.

Findings:

The requirements of this section of the regulations are not considered adequate until the requisite MRP modifications are proposed. Prior to approval, the permittee must provide the following in accordance with:

R645-301-560 and R645-3-1-525, an analysis of observed versus projected subsidence impacts, and a discussion of how any subsidence-caused material damage was prevented or mitigated must be provided.

RECLAMATION PLAN

APPROXIMATE ORIGINAL CONTOUR RESTORATION

Regulatory Reference: 30 CFR Sec. 784.15, 785.16, 817.102, 817.107, 817.133; R645-301-234, -301-270, -301-271, -301-412, -301-413, -301-512, -301-531, -301-533, -301-553, -301-536, -301-542, -301-731, -301-732, -301-733, -301-764.

Analysis:

No surface disturbance occurred in the area scheduled to be removed from the permit boundary. Therefore, the Division considers that all backfilling and grading requirements have been met or are irrelevant.

Findings:

The requirements of this section of the regulations are considered adequate in regard to the proposed permit area reduction.

BACKFILLING AND GRADING

Regulatory Reference: 30 CFR Sec. 785.15, 817.102, 817.107; R645-301-234, -301-537, -301-552, -301-553, -302-230, -302-231, -302-232, -302-233.

Analysis:

No surface disturbance occurred in the area scheduled to be removed from the permit boundary. Therefore, the Division considers that all backfilling and grading requirements have been met or are irrelevant.

Findings:

The requirements of this section of the regulations are considered adequate in regard to the proposed permit area reduction.

MINE OPENINGS

Regulatory Reference: 30 CFR Sec. 817.13, 817.14, 817.15; R645-301-513, -301-529, -301-551, -301-631, -301-748, -301-765, -301-748.

Analysis:

All mine openings will still be in the permit area. The portals have all been sealed. No known access to the underground working exists.

Findings:

The requirements of this section of the regulations are considered adequate in regard to the proposed permit area reduction.

ROAD SYSTEMS AND OTHER TRANSPORTATION FACILITIES

Regulatory Reference: 30 CFR Sec. 701.5, 784.24, 817.150, 817.151; R645-100-200, -301-513, -301-521, -301-527, -301-534, -301-537, -301-732.

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Analysis:

No roads exist in the area schedule to be released from the permit area. Therefore the Division considers that those regulations have been met or are irrelevant.

Findings:

The requirements of this section of the regulations are considered adequate in regard to the proposed permit area reduction.

HYDROLOGIC INFORMATION

Regulatory Reference: 30 CFR Sec. 784.14, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-301-512, -301-513, -301-514, -301-515, -301-532, -301-533, -301-542, -301-723, -301-724, -301-725, -301-726, -301-728, -301-729, -301-731, -301-733, -301-742, -301-743, -301-750, -301-751, -301-760, -301-761.

Analysis:

Discharges into an underground mine

No discharges into underground workings are known to occur in the permit area.

Gravity discharges

No gravity discharges from underground workings are known to occur in the permit area.

Sedimentation ponds

No sediment ponds exist in the area scheduled to be released from the permit boundaries.

Impoundments

No impoundments exist in the area scheduled to be released from the permit boundaries.

Findings:

The requirements of this section of the regulations are considered adequate in regard to the proposed permit area reduction.

MAPS, PLANS, AND CROSS SECTIONS OF RECLAMATION OPERATIONS

Regulatory Reference: 30 CFR Sec. 784.23; R645-301-323, -301-512, -301-521, -301-542, -301-632, -301-731.

Analysis:

Affected area boundary maps

The Division usually considers the affected area boundary maps and the permit boundary maps to be equivalent. The Division considers the Des-Bee-Dove Mines Surface Ownership Map, Map 1-2, of the Permit Area to be both the permit area and affected area boundary map. The permit areas are shown in relationship to section corners so that the locations can be identified. The permit area boundary is also shown on Maps 1-1, 1-2, 1-3, and 1-4. These maps as well as others need to reflect the current permit area. It is important to retain the location of the old permit area as a history of the mining however, the current permit area proposed should be designated with the old permit boundary labeled as such.

Currently, the mine area disturbed drainage leaves the disturbed area (see Figure 1) and then the permit area below the substation and then re-enters the permit area and the disturbed area for treatment in the sediment pond. Likely, the first point of water discharge quality leaving the permit area (below the material storage yard) does not always meet the requirements of the Clean Water Act. Extending the permit area and disturbed area to include the disturbed drainage from the mine site area to the sediment pond (see Figure 2) to avoid compliance problems.

The proposed Map 1-2, and other required permit area maps need to include included in the permit area the escapeway protal breakouts (BLM Right of Way U-45337 and Federal Coal Lease U-02664) and the disturbed area drainage from the mine site to the pond.

Bonded area map

The bonded area is equivalent to the disturbed area shown on proposed Map 1-2, Des-Bee-Dove Mines Surface Ownership Map. The map shows the location of the disturbed area boundaries. Plate CM-10658-DS, Des-Bee-Dove Coal Mines Disturbed Area Boundary Map, is the disturbed area map in the currently approved MRP. That map has a scale of 1" = 400' and the new map has scales that range from 1" = 300' to 1" = 500'. Prior to initiation of final reclamation a disturbed area boundary map with greater detail should replace the current Plate CM-10658-DS.

The breakouts are small areas, less than 0.01 acres. The two detailed drawings of the breakout areas do not show the breakouts included in the disturbed area. Since the areas are so small the disturbed area may only be a comment label with the designation.

TECHNICAL MEMO

Findings:

Information provided in the application is not considered adequate to satisfy the requirements of this section of the regulations. Prior to approval, the operator must provide the following in accordance with:

R645-301-521 and R645-301-731, all permit area maps in the MRP must show the disturbed and permit area: 1) the two remote portal breakouts and 2) the disturbed area drainage.

BONDING AND INSURANCE REQUIREMENTS

Regulatory Reference: 30 CFR Sec. 800; R645-301-800, et seq.

Analysis:

Determination of bond amount

The area to be released from the permit area does not contain any areas scheduled to have reclamation work done. Therefore, reclamation costs were not calculated for those areas. When those areas are removed from the permit area, the Division will not need to recalculate the bond.

Findings:

The requirements of this section of the regulations are considered adequate in regard to the proposed permit area reduction.

RECOMMENDATIONS:

The Division should not approve the reduction in the permit area.